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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Cooperation with representatives of United Nations human rights bodies

Report of the Secretary-General submitted in accordance with Commission on Human Rights resolution 2000/22

GE.01-10163 (E)

Introduction

1. In its resolution 2000/22, the Commission on Human Rights reiterated its concern at the continued reports of intimidation and reprisals against private individuals and groups who seek to cooperate with the United Nations and representatives of its human rights bodies. The Commission also expressed concern at reports about incidents where private individuals had been hampered in their efforts to avail themselves of procedures established under United Nations auspices for the protection of human rights and fundamental freedoms. The Commission invited the Secretary-General to submit to it at its fifty-seventh session a report containing a compilation and analysis of any available information, from all appropriate sources, on alleged reprisals against those referred to in the resolution. The present report is submitted in accordance with that invitation. It contains a summary of information gathered pursuant to resolution 2000/22, describing situations in which persons have reportedly been intimidated or suffered reprisals for having cooperated with United Nations human rights bodies, availed themselves of international procedures, provided legal assistance for this purpose, and/or for being relatives of victims of human rights violations.

2. The reported acts of reprisal ranged from harassment, threats and arbitrary arrests to ill-treatment or torture in detention. The alleged victims of these abuses were private individuals or members of non-governmental organizations which were or had been sources of information about human rights violations for United Nations human rights bodies. There are also disturbing allegations of cases where persons who personally met with representatives of United Nations human rights bodies subsequently suffered reprisals for having done so.

3. In some cases where the victims, whether individuals or organizations, had been in contact with one of the bodies or mechanisms of the Commission on Human Rights, action was taken for their protection by the pertinent body or the representative of the relevant mandate of the Commission. In most of the cases urgent communications were addressed to the Government concerned. The prompt intervention procedure is described in reports of the thematic mechanisms of the Commission. It should be noted that some of the information included in this report is also reflected in the latest reports presented by each mechanism to the General Assembly or the Commission on Human Rights.

I. INFORMATION RECEIVED FROM THE SPECIAL RAPPORTEUR ON THE QUESTION OF TORTURE

4. On 28 August 2000, the Special Rapporteur sent an urgent appeal to the Government of Brazil regarding alleged reprisals in connection with his visit to the detention facility for minors Franco da Rocha, which is under the jurisdiction of the *Fundação Estadual para o Bem Estar do Menor* (FEBEM). In his letter the Special Rapporteur drew the Government's attention to key provisions of resolution 2000/22. According to information provided by the Public Prosecutors for Children and Adolescents in the City of São Paulo, at least three minors the Special Rapporteur talked to during his visit had been subjected to intimidation and beatings by FEBEM guards. The minors were allegedly told that the beatings were in retaliation for the Special Rapporteur's visit to the institution and the interviews and information the minors had provided. It was further reported that since the visit, a large number of minors had been kept locked in their cells 24 hours a day while prior to the visit they had usually been let out in the

yard in the daytime. The quality of the food given to the minors had reportedly also deteriorated since the Special Rapporteur's visit. According to the information received, the Director of the facility, when asked by the public prosecutors to take measures to ensure the right to mental and physical integrity of the minors detained in his institution, indicated that he could not control all of his subordinates because of the large number of minors detained under his responsibility. In its reply of 30 August 2000, the Government stated that the State Secretary for Human Rights had requested the Secretary of Assistance and Development of São Paolo State to initiate investigations into these allegations.

II. INFORMATION RECEIVED FROM THE SPECIAL RAPPORTEUR ON THE RIGHT TO FREEDOM OF OPINION AND EXPRESSION

5. In an urgent appeal sent to the Government of Uruguay on 24 August 2000, the Special Rapporteur referred to reports that Mr. Alvaro Vergar, Chief of Police and Director of police headquarters in Montevideo, had been relieved of some of his managerial duties and demoted after a presentation he gave entitled "Violence, public order and democratic government" at a seminar organized by the United Nations Development Programme in July/August 2000.

6. On 23 December 1999, the Special Rapporteur sent an urgent appeal to the Government of Tunisia concerning Mr. Khémais Ksila, Vice-president of the Tunisian League for the Defence of Human Rights, who allegedly had been subjected to constant intimidation after he met with the Special Rapporteur during the latter's mission to Tunisia in early December 1999. Mr. Ksila had reportedly been followed by police officers and was involved in an allegedly arranged car accident on 14 December 1999. In its reply, the Government denied any involvement by the authorities in the surveillance of Mr. Ksila or in the car accident.

III. OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, FEDERAL REPUBLIC OF YUGOSLAVIA

7. In early June 2000, in the town of Zajecar, representatives of OHCHR met with Mr. Aleksandar Djordjevic to discuss a court case the office was monitoring. Mr. Djordjevic had been involved in defending the person concerned, who was standing trial for allegedly having insulted the then President of Yugoslavia, Slobodan Milosevic. The same day, Mr. Djordjevic went to the police station in Zajecar to inquire about the detention of two activists of the student organization OTPOR who had been arrested while distributing leaflets. When he arrived at the police station, Mr. Djordjevic was reportedly taken to a room, where he was allegedly interrogated and beaten by the Deputy Chief of Police about his contacts with the OHCHR representatives. The Special Rapporteur on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia raised the incident in meetings with the Serbian Minister of Justice and the Federal Minister for Foreign Affairs.